



PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joost Dick de Bruijn, Elisabeth Maria Fischer,
and Pierre Jean François Layrolle

Examiner:

Allison M. Ford

Serial No.: 10/812,318

Art Unit: 1651

Filed: March 29, 2004

Title: INJECTABLE CALCIUM SALT BONE
FILLER COMPRISING CELLS

See applied only

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES**

Dear Sir:

This is in response to the Office Action mailed August 18, 2005. Kindly amend the
above-referenced application as follows.

Amendments to the claims are reflected in the claim listing, which begins at page 2 of
this paper.

Remarks begin at page 5.

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Applicants respectfully traverse the Examiner's election of species requirement. Applicants submit that the species are interrelated to the extent that a search and examination of the subject matter of those claims in the same application would not be overburdensome.

Notwithstanding Applicants' traversal, Applicants elect subgroup j of Group 1, the combinations of hydroxyapatite and beta-calcium phosphate; and subgroup q of Group 2, the combinations of alginates, dextrans, cellulose and cellulose derivatives, plasma, biogenic binders and hyaluronic acid for prosecution on the merits. Claims readable on the elected species include claims 1, 3-6, 8-14 and 17-19.

Respectfully submitted,

Dated: September 19, 2005

By J. Stone-Hulslander
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